

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

THE BANK OF BEAVER CITY,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No.: 3:03-CV-575
	)	(VARLAN/SHIRLEY)
MARY ELIZABETH BRANHAM,	)	
ADMINISTRATRIX OF THE ESTATE	)	
OF ELMO MAYES, HELEN MAYES,	)	
and ACM, INC.,	)	
	)	
Defendants.	)	

**ORDER**

For the reasons set forth in the accompanying Memorandum Opinion, the plaintiff's motion to strike [Doc. 58] is hereby **DENIED** and the defendants' joint motion for abstention [Doc. 51] is hereby **GRANTED** on the grounds that this case falls within the domestic relations and probate exceptions to federal jurisdiction. Accordingly, this case is **DISMISSED without prejudice**. The Clerk is directed to close this case.

IT IS SO ORDERED.

s/ Thomas A. Varlan  
UNITED STATES DISTRICT JUDGE